

Presently, the Examiner has restricted the invention into four groups, Group I, (claims 1-11 elected herein), Group II (claims 12-22), Group III (claim 23), and Group IV (claims 24-25). Applicant respectfully disagrees that the methods of Group II and Group III claims are directed to different inventions and traverses this restriction requirement. The Examiner confirms that Group II is drawn to a first method for the treatment of inflammatory skin conditions, and Group III is drawn to a second method or the treatment of inflammatory skin conditions, both methods in class 514, subclass 1+. Applicant asserts that the Groups II and Group II claims are directed to the same invention and should not be subject to a restriction requirement for the following reasons:

- Independent claim 12 of Group II is directed to a **method for the treatment of inflammatory skin conditions, said treatment comprising topically applying to the affected skin areas a topical composition containing an effective amount of glutathione.**
- Independent claim 23 of Group II is directed to a **method for the treatment of inflammatory skin conditions, said treatment comprising topically applying to the affected skin areas a topical composition containing an effective amount of one or more of glutathione and glutathione precursors.**

These methods are not distinct from one another as they are connected in design (i.e. methods designed for topical treatment of skin condition by the application of compositions), in operation (i.e. they both operate topically upon the skin) and in effect (i.e. to reduce inflammation of the skin and alleviate the condition).

The Examiner has not met the burden of showing that Group II and Group III claims are distinct under the criteria of MPWP §806.05(c)-(i). Under MPEP §806.05, where the several inventions claimed are related, and such related applications are not

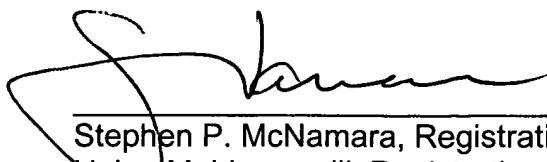
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patentably distinct as claimed, restriction is never proper. The Examiner acknowledges that Group II and Group III claims are in the same classification (class 514, subclass 1+) and they would not require different fields of search. See MPEP 808.2.

These methods may be used together, they have the same mode of operation, they have the same functions, and they have the same effects. For example, One may practice the two methods at the same time, specifically, one may apply topically to a skin area affected with skin condition X a topical composition containing an effective amount of glutathione for treatment of skin condition X as well as glutathione precursors, which is encompassed by both claims 12 and 23. Hence, one would be capable of practicing both claims at the same time, and further, would have to practice the various methods at the same time.

Applicant requests that the restriction of Group II and Group III be withdrawn such that the present restriction requirement encompasses a three-way restriction between Group I: claims 1-12 (elected herein); Group II: claims 12-23; and Group III: claims 24-25.

Respectfully submitted,



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